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 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

Attorneys for United States

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

v.

PAUL GRUDZIEN and
 MEGHAN GRUDZIEN,

DEFENDANTS

No. CR 13-0059 EMC

**STIPULATION AND [PROPOSED]
 ORDER CHANGING HEARING DATE
 AND EXCLUDING TIME**

During the parties' appearance on February 1, 2013, the Court set March 20, 2013 as the date for the initial appearance in front of the Honorable District Court Judge Edward M. Chen. At that time, counsel requested that time between February 1, 2013 and March 20, 2013 be excluded from any time limits applicable under 18 U.S.C. § 3161, for the purpose of effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). At the hearing, the Court made findings, and the parties agreed, that the ends of justice served by granting such an exclusion of time outweighed the best interests of the public and the defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court entered an order consistent with these findings on February 5, 2013.

The United States continues to produce discovery in this matter, and recently learned of a scheduling conflict that will make the undersigned government counsel unable to attend the

STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME
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1 previously scheduled initial appearance on March 20, 2013. In order to give counsel adequate
2 time to review discovery and prepare for the case, the parties request that the initial appearance
3 be moved from March 20, 2013 to April 17, 2013. The parties further request that time between
4 March 20, 2013 and April 17, 2013, be excluded from any time limits applicable under 18 U.S.C.
5 § 3161, for the purpose of effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).
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8 SO STIPULATED:

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10 MELINDA HAAG
United States Attorney

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12 DATED: February 21, 2013

13 /s/
ADAM L. WRIGHT
Assistant United States Attorney

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15 DATED: February 21, 2013

16 /s/
RUSSELL GOODROW
Attorney for PAUL GRUDZIEN

17
18 DATED: February 21, 2013

19 /s/
ADAM G. GASNER
Attorney for MEGHAN GRUDZIEN
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[PROPOSED] ORDER

For the reasons stated above, the Court finds that exclusion from the time limits applicable under 18 U.S.C. § 3161 the period from March 20, 2013 to April 17, 2013 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The failure to grant the requested exclusion of time would deny counsel for the defendant and for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: 2-28-13



THE HONORABLE MARIA-ELENA JAMES
United States Magistrate Judge